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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,802	11/04/2003	Naoto Matono	117657	4033
25944	7590	10/18/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			DAVIS, DAVID DONALD	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/699,802

Applicant(s)

MATONO ET AL.

Examiner

David D. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

2. Claims 10 and 11 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on July 31, 2006.

3. Applicant's election of Group I, claims 1-9, in the reply filed on July 31, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Information Disclosure Statement

4. Receipt is acknowledged of the Information Disclosure Statement (IDS) received November 4, 2003 and June 1, 2006.

Specification

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

6. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, in claim 5, line 6 “assuming that an area . . .” is indefinite because it is vague and confusing.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (JP 2002-208114). As per claim 1, Sato et al shows in figure 36 a thin film magnetic head a yoke layer 14B1 disposed so as to be recessed from a recording-medium-facing surface facing a recording medium moving in a predetermined direction of medium movement. Figure 36 of Sato et al also shows a pole layer 14A disposed on a medium-outgoing side of the yoke layer 14B1 in the direction of medium movement to be exposed to the recording-medium-facing surface. Figure 36 additionally shows a portion of the pole layer 14A is connected to a portion of the yoke layer 14B1.

As per claim 2, Sato et al shows in figure 36 the yoke layer 14B1 extends from a first position recessed from the recording-medium-facing surface to a second position at the rear of the first position. The pole layer 14A extends from the recording-medium-facing surface to the

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second position, and has a smaller width than the width of the yoke layer 14B1. As per claim 3, Sato et al shows in figure 36 the yoke layer 14B1 extending from a first position recessed from the recording-medium-facing surface to a second position at the rear of the first position. The pole layer 14A extends from the recording-medium-facing surface to a third position between the first position and the second position.

As per claim 4, Sato et al shows in figures 24 and 36 the yoke layer 14B1 including a connecting portion having a part connected to the pole layer 14A, and a yoke widening portion having a larger width than the width of the connecting portion. As per claim 5, Sato et al shows in figure 36 a thin film coil generating magnetic flux, and having a winding structure wound around an end portion of the yoke layer 14B1 on a side farther from the recording-medium-facing surface. Assuming that an area of an end surface of the end portion in the yoke layer 14B1 is SE, and an area of a sectional surface of the connecting portion parallel to the recording-medium-facing surface is SD, an area ratio SD/SE is within a range of $0.008 \leq SD/SE \leq 0.3$.

As per claim 6, Sato et al shows in figure 36 a recession is disposed in at least a part of a portion of the yoke layer 14B1 except for a portion connected to the pole layer 14A. As per claim 7, Sato et al shows in figures 24 and 36 the pole layer 14A including a uniform width portion exposed to the recording-medium-facing surface, and having a uniform width determining a recording track width of the recording medium, and a pole widening portion having a larger width than the width of the uniform width portion.

As per claim 8, Sato et al shows in figure 36 an auxiliary pole layer 14B2 disposed on the medium-outgoing side of the pole layer 14A to be recessed from the recording-medium-facing surface. As per claim 9, Sato et al discloses in section [0002] the pole layer 14A emits magnetic

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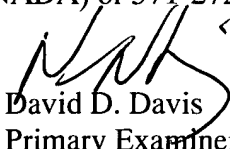
flux for magnetizing the recording medium in a direction perpendicular to a surface of the recording medium.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David D. Davis
Primary Examiner
Art Unit 2627

ddd